

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31400 of 2026

Arising Out of PS. Case No.-38 Year-2026 Thana- SIKRAUL District- Buxar

Murari @ Krishna Singh @ Krishna Kumar S/O Sudheshwar Singh Resident
of village- Parmeshwarpur, P.S.- Sikraul, Dist.- Buxar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma
For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2026 Heard Dr. Kamal Deo Sharma, learned counsel
for the petitioner and Mr. Abhay Kumar, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
24.03.2026 in connection with Sikraul P.S. Case No. 38 of 2026
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Amendment Act.

3. The case of the prosecution, in short, is that on
16.03.2026 the informant received a secret information at 11.30
o' clock that a village of Parmeshwarpur field in tubal of Murari
Singh put in heavy quantity illegal liquor by the Murari Singh
and Piush Kumar. As per information that the information given
higher authorities and for verification of that information they
are reached on that place of occurrence at about 12:00 o' clock
and put on raid on that boring. On that action saw several
persons reached there but no one person ready for made as
independent witness then on appearance of police personnel



made as witness and search the said boring and total recovered about 99.90 liters of liquor. That after a seizure list prepared and the said FIR was lodged against two accused persons including this petitioner.

4. Learned counsel for the petitioner submits that it appears from the FIR and seizure list that altogether 99.90 liters of liquor was recovered from the boring of the petitioner. It is next submitted that the petitioner has no concern at all with the alleged recovery of liquor and from perusal of the seizure list it appears that the seizure list witnesses are police personnel so there is non-compliance of mandatory provisions of Sections 103 and 105 of BNSS, 2023 and petitioner is in custody since 24.03.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of one case other than the present case but fairly submits that petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned



Exclusive Special Judge, Excise Court No. 2, Buxar in connection with Sikraul P.S. Case No. 38 of 2026, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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